

RECORDS & STATISTICS BUREAU'S USE ONLY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

COMPLAINT REPORT

DATE 12-5-92 PAGE 1 OF 5

ACTION	ACTIVE (✓) INACTIVE ( )	PENDING( )	INDEX INFO Yes ( ) No (✓)	No of Adult Arrests: 0	No of Subject Detentions: 0	URN (File No): 092-34185-1132-052

CLASSIFICATION: ASSAULT WITH A DEADLY WEAPON (KNIFE) 245(A)(1)

CLASSIFICATION: PERSON DEAD ; SHOTS FIRED BY DEPUTY

If Domestic Violence: Weapon Used ( ) YES ( ) NO

DATE TIME DAY OF OCCURRENCE: 12-5-92 1704 SATURDAY

PRINT DEPUTY REQUESTED: NO (X) YES ( ) LOC ( ) STA ( ) VEH ( )

VIA SECTY — TIME —

LOCATION OF OCCURRENCE: [redacted] E KETTERING LANCASTER 93535 | TYPE OF LOCATION: RESIDENCE | TRACT —

CODE: V—VICTIM, W—WITNESS, I—INFORMANT, R—REPORTING PARTY, P—PARTY LIST ONE WITNESS (IF NAMED) AND THE INFORMANT ON THIS PAGE.

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB
V	1 of 1	TORSNEY	BRIAN	BORU JR	M	W	[redacted]

RESIDENCE ADDRESS: SHERIFF'S DEPUTY | CITY | ZIP | RES PHONE (AREA CODE)

BUSINESS ADDRESS: 1010 W AV J | CITY: LANCASTER | ZIP: 93535 | BUS PHONE (AREA CODE): (805) 948-8466 X

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB

RESIDENCE ADDRESS | CITY | ZIP | RES PHONE (AREA CODE)

BUSINESS ADDRESS | CITY | ZIP | BUS PHONE (AREA CODE)

CODE	No OF	LAST NAME	FIRST	MIDDLE	SEX	RACE	DOB

RESIDENCE ADDRESS | CITY | ZIP | RES PHONE (AREA CODE)

BUSINESS ADDRESS | CITY | ZIP | BUS PHONE (AREA CODE)

CODE: S—SUSPECT, SJ—SUBJECT, M—PATIENT, S/V—SUSPECT/VICTIM, SJ/V—SUBJECT/VICTIM CIRCLE CODE IF SUPP. PAGES USED FOR: V W S SJ M S/V SJ/V

CODE	No OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No)
S	1 of 1	SEE SUPP			

RESIDENCE ADDRESS | CITY | ZIP | RES PHONE (AREA CODE)

BUSINESS ADDRESS | CITY | ZIP | BUS PHONE (AREA CODE)

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	WHERE DETAINED OR CITE No

OBSERVABLE PHYSICAL ODDITIES | AKA NICKNAME | BOOKING No

CLOTHING WORN | MAIN

CHARGE | WEAPON USED

CODE	No OF	LAST NAME	FIRST	MIDDLE	DRIVER'S LICENSE (STATE & No)

RESIDENCE ADDRESS | CITY | ZIP | RES PHONE (AREA CODE)

BUSINESS ADDRESS | CITY | ZIP | BUS PHONE (AREA CODE)

SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT	DOB	AGE	WHERE DETAINED OR CITE No

OBSERVABLE PHYSICAL ODDITIES | AKA NICKNAME | BOOKING No

CLOTHING WORN | MAIN

CHARGE | WEAPON USED

VEHICLE USED IN CRIME YES ( ) NO (✓) UNKNOWN ( ) STORED ( ) IMPOUNDED ( ) | YR | MAKE | BODY TYPE | COLOR

LICENSE (STATE & No) | VIN/FRAME No

REGISTERED OWNER

IDENTIFYING CHARACTERISTICS

CHP 180 SUBMITTED YES ( ) NO (✓) | GARAGE NAME & PHONE

VICTIM DESIROUS OF PROSECUTION YES ( ) NO ( ) | VICTIM INSURED FOR LOSS YES ( ) NO ( ) | EAP No

SUSPECT/SUBJECT RELEASE APPROVED BY | TIME | ARREST REVIEW SUBMITTED YES ( ) NO (✓)

BY DEPUTY: SCHOONMAKER, B [redacted]

DEPUTY: RUBLE E [redacted]

STATION: AVS | UNIT/CAR No: 81162 | SHIFT: PM

APPROVED: SGT HANDLEY [redacted] | TIME: 0115

ASSIGNMENT: HOMICIDE

SPECIAL REQUEST DISTRIBUTION

TT B/C BY | DATE | TIME | SECTY RACHEL REID

76C300F-SH-R-49 (Rev. 1/86) PS 1/86

(1)

"P.C.D." YES

USE FOR PROPERTY/NARRATIVE AS NEEDED

DATE 12-5-92 | TIME REC'D 1704 | OBS (X) DET ( ) CALL ( ) | URN 092-34185-1132-052

INPUT/CHECKED NCIC, CII, ETC. YES ( ) NO (X) | EVIDENCE (CODE-EV) | HELD YES ( ) NO ( ) | MARKED, TAGGED, SEALED & PLACED IN STATION EVIDENCE LOCKER | INSIDE ( ) OUTSIDE ( ) | SAFE ( ) REFRIG. ( ) | BY: | LEDGER PAGE No.

IF BURGLARY: FORCE USED N/A YES ( ) NO ( ) | POINT OF ENTRY-DOOR ( ) | WINDOW ( ) | ROOF ( ) | OTHER

PROPERTY: (TOTAL VALUE) RECOVERED $ 0 STOLEN $ 0 DAMAGED $ 0

PROPERTY CODE: S—stolen R—recovered L—lost F—found E—embezzled D—damaged
(Use All Applicable Codes; For Example, If Property Is Both Stolen & Recovered, Code Is S/R)

PROPERTY RELEASED TO

CODE	ITEM No.	QUAN	DESCRIPTION INCLUDE KIND OF ARTICLE, TRADE NAME, IDENTIFYING NUMBERS, PHYSICAL DESCRIPTION, MATERIAL, COLOR, CONDITION, AGE AND PRESENT MARKET VALUE	SERIAL No.	VALUE
					$

AT THE INDICATED TIME WE, UNIT 8116 I
DEPS BEDNAR # [REDACTED] AND HARBESON # [REDACTED] AND
UNIT 8116 2 DEPS RUBLE # [REDACTED] AND I, WERE
PATROLING THE 500 EAST BLOCK OF AV. H-14.

WE HEARD ON OUR SHERIFF'S 480 RADIO'S
THAT A DEPUTY WAS INVOLVED IN A SHOOTING AND
WAS REQUESTING ASSISTANCE. THE LOCATION
OF THE SHOOTING WAS [REDACTED] E KETTERING, LESS
THAN A MILE FROM WHERE WE WERE. WE
RESPONDED TO THE LOCATION AND ARRIVED AT
APPROXIMATELY 1705 HRS.

SCREENING FACTORS

(YES / NO boxes marked N/A)

1. SUSPECT IN CUSTODY
2. SUSPECT NAMED/KNOWN
3. UNIQUE SUSPECT IDENTIFIERS
4. VEHICLE IN CUSTODY
5. UNIQUE VEHICLE IDENTIFIERS
6. WRITER/REVIEWER DISCRETION
7. GENERAL SUSPECT DESCRIPTION
8. GENERAL VEHICLE DESCRIPTION
9. UNIQUE M.O. OR PATTERN
10. SIGNIFICANT PHYSICAL EVIDENCE
11. TRACEABLE STOLEN PROPERTY
12. MULTIPLE WITNESSES

PART I STATISTICAL INFORMATION

ADDITIONAL CRIMES 1) ____ 2) ____ NUMBER OF VICTIMS: ____

TYPE OF PROPERTY	STOLEN	RECOVERED	TYPE OF PROPERTY	STOLEN	RECOVERED
CLOTHING/FURS	$	$	JEWELRY	$	$
CONSUMABLE GOODS	$	$	LIVESTOCK	$	$
CURRENCY/NOTES	$	$	LOCAL STOLEN VEHICLES	$	$
FIREARMS	$	$	MISCELLANEOUS	$	$
HOUSEHOLD GOODS	$	$	OFFICE EQUIPMENT	$	$
			TV/RADIO/STEREO	$	$

WEAPONS CODE

( ) ARTICLES THROWN
( ) CAUSTIC CHEMICALS
( ) CLUB/BLUNT INSTRUMENT
( ) DRUGS/NOXIOUS GAS
( ) FIRE/EXPLOSIVES
( ) HANDS/FEET/FIST/ETC.
( ) KNIFE/CUTTING INSTRUMENT
( ) POISON
( ) REVOLVER/PISTOL
( ) RIFLE
( ) SHOTGUN
( ) STRANGULATION
( ) VEHICLE
( ) UNKNOWN/OTHER

REPORT CONTINUATION — NARRATIVE | URN 092-34185-1132-052

AS WE ARRIVED, A MALE WHITE (SEE SUPP) POINTED TO THE HOUSE ([redacted] E KETTERING) AND TOLD US, "THE DEPUTY IS IN THE BACKYARD." WE RAN TO THE BACKYARD. WE SAW DEP TORSNEY (VICT) STANDING WITH HIS GUN DRAWN. HE WAS POINTING HIS GUN AT A MALE WHITE (SUSP) WHO WAS LYING ON THE GROUND. THE SUSPECT APPEARED TO BE DEAD AS HE WAS LYING MOTIONLESS, THERE WAS BLOOD ON HIS FACE AND HE DID NOT APPEAR TO BE BREATHING.

PARAMEDICS FROM FIRE STATION 33 ARRIVED APPROXIMATELY 1714 HRS. PARAMEDIC BALLENTINE EXAMINED THE SUSPECT AND PRONOUNCED HIM DEAD AT 1717 HRS.

THE LOCATION OF THE INCIDENT IS A BACKYARD OF A RESIDENCE. IT IS A GRASSY AREA WITH A FENCE BORDERING THE WEST, NORTH AND EAST SIDES. THE RESIDENCE, A SINGLE STORY HOUSE, IS TO THE SOUTH. THERE IS A SPA, APPROXIMATELY 8' X 8' SQUARE AND APPROXIMATELY 4' HIGH ON THE WEST SIDE OF THE YARD ABOUT 10' NORTH OF THE REAR SLIDING GLASS DOOR OF THE HOUSE.

REPORT CONTINUATION — NARRATIVE | URN 092-34185-1132-052

AS WE ARRIVED IN THE BACKYARD WE SAW THE SUSPECT LYING ON THE GROUND. HIS BODY WAS SLIGHTLY AT AN ANGLE. HIS HEAD WAS TO THE NORTH/EAST AND HIS FEET TO THE SOUTH/WEST. HE WAS FACE DOWN, HOWEVER HIS KNEE'S WERE BENT AND UNDER THE BODY. THE SUSPECTS BUTTOCKS WAS STICKING UP IN THE AIR. HIS LEFT ARM WAS STRAIGHT AND POINTING TO THE WEST. HIS RIGHT ARM WAS UNDER HIS CHEST. HIS HEAD WAS TILTED TO THE LEFT FACING EAST WITH HIS LEFT EAR TO THE GROUND.

THE BODY OF THE SUSPECT WAS APPROXIMATELY 15' FROM THE WEST FENCE, 18' FROM THE NORTH FENCE AND 4' FROM THE N/E CORNER OF THE SPA.

WE SAW BLOOD ON THE RIGHT SIDE OF THE SUSPECTS FACE.

THE SPA WAS COVERED WITH A BROWN PAD APPROXIMATELY 3 INCHES THICK. ON TOP OF THE PAD WE COULD SEE A LARGE KNIFE (APPROX 10-12 INCHES IN TOTAL LENGTH). THERE WAS A LARGE

REPORT CONTINUATION _ NARRATIVE | URN 092-34185-1132-052

AMOUNT OF BLOOD ON THE PAD AS WELL AS ON THE KNIFE. THE BLOOD WAS LARGELY LOCATED ON THE EAST SIDE OF THE PAD.

UNIT 8116I WAS ASSIGNED TO CONTAIN THE CRIME SCENE. UNIT 111E, DEP. KENNEDY # [redacted], TRANSPORTED V/DEP TORSNEY TO AV STATION.

WHILE AT THE SCENE, A WITNESS APPROACHED ME, DEP. SCHOONMAKER, AND TOLD ME HE SAW THE SUSPECT ASSAULT V/DEP TORSNEY WITH A KNIFE. AS A RESULT OF THE SUSPECT'S ASSAULT, THE DEPUTY SHOT THE SUSPECT. THE WITNESS POINTED TO THE LARGE KNIFE LYING ON TOP OF THE SPA COVER AND TOLD ME IT WAS THE SAME KNIFE THE SUSPECT USED TO ASSAULT THE DEPUTY.

I TRANSPORTED THIS WITNESS AND TWO OTHER WITNESSES TO AV STATION FOR QUESTIONING BY HOMICIDE DETECTIVES.

76S878 SH-R-2 8-73

COUNTY OF LOS ANGELES – SHERIFF'S DEPARTMENT – SUPPLEMENTARY REPORT

DATE 12-5-92 FILE NO. 092-34185-1132-052

C. 245(A)(1) P.C. Action Taken WITNESS STATEMENTS

V. DEPUTY BRIAN TORSNEY MW/ [redacted]

D.

S.

CODE	No	OF	LAST	FIRST	MIDDLE	SEX	RACE	D.O.B
W	1	1	[redacted]	[redacted]	[redacted]	M	W	[redacted]
RESIDENCE ADDRESS [redacted]				CITY [redacted]	ZIP [redacted]	RES PHONE (AREA CODE) [redacted]		
BUSINESS ADDRESS [redacted]				CITY [redacted]	ZIP [redacted]	BUS PHONE (AREA CODE) [redacted]		
S	1	1	GWINNETT	CHRIS	WAYNE	M	W	11-15-71
RESIDENCE ADDRESS [redacted]				CITY [redacted]	ZIP [redacted]	RES PHONE (AREA CODE)		
BUSINESS ADDRESS				CITY	ZIP	BUS PHONE (AREA CODE)		

WHILE AT THE CRIME SCENE OF THE INCIDENT UNDER THE ABOVE FILE #, W/ [redacted] APPROACHED ME, DEP SCHOONMAKER, AND TOLD ME HE WITNESSED THE INCIDENTS LEADING UP TO AND INCLUDING THE DEPUTY INVOLVED SHOOTING. W/ [redacted] RELATED THE FOLLOWING:

AT APPROXIMATELY 1700 HRS, HE (WIT) WAS DRIVING S/B 5TH ST EAST FROM AV. I. AS HE APPROACHED IVINGTON HE SAW SEVERAL PEOPLE

SCHOONMAKER, R [redacted]
AVS 81162 PMS
SGT HANDLEY [redacted]
HOMICIDE

RACHEL REID

REPORT CONTINUATION _ NARRATIVE | URN 092-34185-1132-052

GATHERING ON THE N/E CORNER OF 5TH ST. EAST AND IVINGTON. HE SAW A TRUCK THAT HAD APPARANTLY CRASHED INTO A LIGHT POLE. W/ [redacted] SAID THE LIGHT POLE WAS LYING ON THE GROUND.

THE PEOPLE WHO WERE GATHERING NEAR THE WRECKED TRUCK WERE POINTING TO A MALE WHITE (SUSP) WHO WAS WALKING S/B 5TH ST. EAST AWAY FROM THE COLLISION SITE. SOME OF THE PEOPLE WERE SAYING, "THERE HE GOES."

DUE TO THE ABOVE, W/ [redacted] FORMED THE OPINION THAT THE SUSPECT WAS INVOLVED IN THE COLLISION AND WAS TRYING TO FLEE. W/ [redacted] DROVE UP NEAR THE SUSPECT AND NOTICED HIS (SUSPS) FACE WAS BLOODY. W/ [redacted] ASKED THE SUSPECT IF HE WAS ALRIGHT. THE SUSPECT LOOKED AT THE WITNESS AND ASKED, "DO YOU HAVE A GUN?" W/ [redacted] SAID, "WHAT FOR?" THE SUSPECT REPLIED, "I WANT TO SHOOT MYSELF!"

REPORT CONTINUATION — NARRATIVE | URN 092-34185-1132-052

ASSUMING THE SUSPECTS STATEMENT WAS A RESULT OF BEING DESPONDANT RE: THE COLLISION, W/[REDACTED] TRIED TO CONSOLE HIM BY STATING, "IT'S NOT THAT BAD. IT'S JUST A LIGHT POLE." THE SUSPECT SAID, "YOU DON'T KNOW THE HALF OF IT." I GOT TO HAVE A GUN."

THE SUSPECT THEN APPROACHED ANOTHER WITNESS AND ASKED FOR A GUN SO HE CAN KILL HIMSELF. AFTER THAT THE SUSPECT RAN OUT INTO THE STREET IN FRONT OF A YELLOW CAR THAT WAS TRAVELING SOUTH BOUND. THE SUSPECT WAS NOT STRUCK BY THE CAR. HE AGAIN STATED, "I JUST WANT TO KILL MYSELF!"

IT WAS AT THIS TIME THAT DEP TORSNEY (VICT) ARRIVED. THE SUSPECT SAW DEP. TORSNEY AND BEGAN RUNNING S/B ON 5TH ST. EAST. AS V/DEP. TORSNEY APPROACHED THE SUSPECT, HE (SUSP) RAN E/B ON KETTERING ON THE NORTH SIDEWALK. V/DEP. TORSNEY DROVE PASSED THE SUSPECT AND PULLED UP TO THE NORTH SIDEWALK TO BLOCK THE SUSPECTS PATH.

REPORT CONTINUATION _ NARRATIVE | URN 092-34185-1132-052

THE SUSPECT THEN RAN INSIDE A HOUSE (E KETTERING). V/DEP. TORSNEY WALKED UP TO THE FRONT DOOR AND KNOCKED ON THE DOOR. HE (VICT) THEN WENT TO THE BACKYARD, WALKING ALONG THE W/S OF THE HOUSE.

W/ PARKED HIS (WITS) TRUCK AND RAN TO THE E/S OF THE HOUSE. THE WITNESS LOOKED OVER THE FENCE INTO THE SUSPECTS BACKYARD. HE COULD SEE THE SUSPECT THROUGH A WINDOW. THE SUSPECT WAS IN THE KITCHEN.

W/ RETURNED TO THE FRONT YARD AND SAW V/DEP TORSNEY ON THE W/S OF THE HOUSE. THE WITNESS TOLD DEP TORSNEY THAT THE SUSPECT WAS IN THE HOUSE. DEP. TORSNEY RETURNED TO THE BACKYARD.

W/ SAW THE SUSPECT COME OUT THE FRONT DOOR. THE WITNESS CALLED OUT TO THE SUSPECT AND HE (SUSP) WENT BACK INSIDE THE HOUSE. W/ NOTIFIED V/DEP TORSNEY THAT THE SUSPECT WENT BACK

REPORT CONTINUATION — NARRATIVE | URN 092-34185-1132-052

INSIDE THE HOUSE. W/ [redacted] APPROACHED THE BACKYARD FROM THE W/S OF THE HOUSE. HE (WIT) COULD SEE V/DEP TORSNEY POINTING HIS GUN TOWARD THE REAR DOOR OF THE HOUSE. W/ [redacted] WAS STANDING ON THE W/S OF THE HOUSE AND A FEW FEET SOUTH OF THE BACKYARD ENTRANCE. HE ASSUMED THE SUSPECT WAS AT THE REAR DOOR BECAUSE V/DEP TORSNEY WAS POINTING HIS GUN IN THAT DIRECTION AND GIVING ORDERS TO THE SUSPECT. HOWEVER, W/ [redacted] COULD NOT ACTUALLY SEE THE SUSPECT FROM HIS VIEWPOINT.

W/ [redacted] SAID V/DEP. TORSNEY ORDERED THE SUSPECT TO "DROP IT" 3 TO 5 TIMES. THE ORDERS WERE LOUD AND THE DEPUTY KEPT REPEATING IT. THE DEPUTY WAS STANDING UP AGAINST THE N/S OF THE SPA.

AT THIS TIME W/ [redacted] ATTENTION WAS DIVERTED FROM THE DEPUTY. A FEW PEOPLE WERE BEGINNING TO APPROACH THE BACKYARD AREA TO SEE WHAT WAS HAPPENING. W/ [redacted] TURNED AND TOLD THE PEOPLE TO GET BACK AND STAY AWAY. IT WAS AT THIS TIME THAT THE WITNESS HEARD "A THUD" WHERE THE SPA WAS AND THEN HE HEARD A SINGLE GUNSHOT.

REPORT CONTINUATION — NARRATIVE | URN 092- 34185-1132-052

W/ [redacted] TURNED HIS ATTENTION TO THE BACKYARD AGAIN AND SAW THE SUSPECT ON TOP OF THE SPA COVER. THE SUSPECT WAS LYING ON HIS LEFT SIDE. THE WITNESS SAW A LARGE KNIFE WHICH WAS STUCK INTO THE SPA COVER AND WAS IN A VERTICAL POSITION NEXT TO THE SUSPECT.

V/DEP. TORSNEY STEPPED BACK AWAY FROM THE SPA STILL POINTING HIS GUN AT THE SUSPECT. THE SUSPECT ROSE UP FROM THE SPA COVER ON HIS KNEES AND LEANING ON HIS LEFT HAND. THE SUSPECT WAS STARING DIRECTLY AT THE DEPUTY. SEVERAL TIMES (APPROX 5 TIMES) V/DEP. TORSNEY ORDERED THE SUSPECT "DON'T TOUCH IT!" (KNIFE). W/ [redacted] BEGAN TO PLEAD WITH THE SUSPECT, YELLING, "DON'T TOUCH IT! LEAVE IT!" THE WITNESS SAID HE (WIT) YELLED THIS 3-4 TIMES.

HOWEVER, THE SUSPECT PULLED THE KNIFE OUT OF THE SPA COVER, AND BEGAN TO RISE UP HIGHER. V/DEP. TORSNEY FIRED ANOTHER SINGLE SHOT. THE SUSPECT DROPPED DOWN AND IMMEDIATELY CAME BACK UP ON HIS KNEES. V/DEP. TORSNEY

REPORT CONTINUATION _ NARRATIVE | URN 092-34185-1132-052

AGAIN REPEATEDLY ORDERED THE SUSPECT TO "DROP IT!" THE SUSPECT CONTINUED TO STARE AT THE DEPUTY THE ENTIRE TIME. V/DEP. TORSNEY TOLD THE SUSPECT, "DON'T MOVE!" HOWEVER, THE SUSPECT ROSE UP AND LUNGED OFF THE SPA DIRECTLY TOWARD V/DEP TORSNEY. THE DEPUTY FIRED ONE MORE SINGLE SHOT, AS HE (VICT) BACKED AWAY FROM THE ATTACK.

W/[redacted] SAID THE SUSPECT LANDED APPROXIMATELY 5' FROM THE SPA. HE ADDED THAT IF THE DEPUTY HAD NOT BACKED AWAY, THE SUSPECT WOULD HAVE LANDED DIRECTLY ON TOP OF V/DEP. TORSNEY.

W/[redacted] RESPONDED TO THE FRONT OF THE HOUSE TO DIRECT ASSISTING UNITS AND PARAMEDICS TO THE LOCATION. IT WAS AT THIS TIME I ARRIVED.

W/[redacted] POINTED TO A LARGE KNIFE ON TOP OF THE SPA COVER AND ID'D IT AS THE ONE THE SUSPECT WAS HOLDING DURING HIS ATTACK ON V/DEP TORSNEY.

\ RED

COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE DECEMBER 7, 1992 **FILE NO.** 092-34185-1132-052

C- ASSAULT ON POLICE OFFICER - 245(C) P.C./OFFICER INVOLVED SHOOTING **Action Taken** ACTIVE/INVESTIGATION MADE/EVIDENCE HELD/ CC#92-11144

V- TORSNEY, BRIAN - DEPUTY - ANTELOPE VALLEY SHERIFF STATION

D- 12-05-92 (SATURDAY) AT 1701 HOURS

L- ███ EAST KETTERING AVENUE, LANCASTER 93535

S- GWINNETT, CHRIS WAYNE MW/21 DOB: 11-15-71 (DECEASED)
██████████ ██████

EVIDENCE HELD

Item #1 - Key ring with seven keys attached belonging to Deputy Torsney. Evidence photographed. Keys released back to Deputy Torsney.

Item #2 - Expended shell casing, 9 mm, head stamped, "FC9MM Luger," retrieved from the rear yard of the location.

Item #3 - Photograph depicting where Deputy Torsney was standing in the rear yard of the location, as observed by assisting deputies.

Item #4 - Butcher knife with a brown wooden handle, 2 inch wide metal blade, total length of 13 inches; blade length is 8 inches. There was blood on the handle of this knife and also on the blade. This knife was recovered from atop of the spa in the rear yard of the location.

Item #5 - One lead projectile recovered from the ground between the rear sliding glass door at the location.

****

On 12-05-92, Saturday, at approximately 1823 hours, Investigators Snapper and Holmes arrived at ███ East Kettering Avenue, regarding an officer involved shooting. Investigators contacted Deputy Schoonmaker #████ Unit 811G, Antelope Valley Sheriff's Station.

Deputy Schoonmaker advised Investigators that at the indicated time and date, Suspect Gwinnett had driven his car into a light standard at the northwest corner of Fifth Street and Kettering Avenue. After knocking the light standard down, the suspect then drove northbound on Fifth Street and struck a light standard at

the northeast corner of Fifth Street and Jackman Street. This location is approximately two blocks north of the intersection of Kettering Avenue and Fifth Street. The suspect then exited his vehicle at that location and was overheard by several witnesses as stating, "Give me a gun, I want to kill myself." The suspect walked southbound on Fifth Street to Kettering Avenue and then eastbound on Kettering to ███ East Kettering Avenue. Deputy Brian Torsney observed the suspect in the front yard of this location and then observed the suspect go into the residence, at that location. Deputy Torsney went to the rear yard at which time he encountered the suspect who was armed with a butcher knife. Suspect Gwinnett advanced on Deputy Torsney at which time Deputy Torsney shot the suspect. Deputy Schoonmaker's actions and observations are contained in his report, a copy of which will be made a permanent part of this file.

On 12-05-92, Scientific Services, Deputy Watson Lee and Sergeant Mileham arrived at the location at approximately 1830 hours. Deputy Lee and Sergeant Mileham photographed and video taped the location as directed by Investigators.

Lieutenant ███ from the District Attorney's Office, arrived at the location at 2025 hours. Deputy Coroner's Investigator ███ arrived at the location at 2156 hours. Deputy Mark Murren #███, from Antelope Valley Station, conducted a traffic investigation at the intersection of Fifth Street and Kettering, and also at the intersection of Jackman Street and Fifth Street. Refer to Deputy Murren's report under File No. 092-34185-1132-052 regarding the traffic investigation.

The measurements in the narrative portion of this report are approximations. For a detailed sketch and accurate measurements, refer to Deputy Watson Lee's to scale drawing of this incident.

This incident occurred on the north side of Kettering Avenue at the residence of ███ Kettering Avenue. The north side of Kettering Avenue is occupied by single family residences, the south side of the street is occupied by a school. The north property line of the school parallels Kettering Avenue on the south and is bordered by a 6 foot high chain link fence. The location is approximately ███ feet east of the intersection of Fifth Street East in the city of Lancaster. There were numerous blood droplets on the north sidewalk of Kettering Avenue. These blood droplets went from west to east from the northeast corner of Kettering Avenue and Fifth Street, and eastward to the residence at ███ Kettering Avenue. There were street lights illuminating Kettering Avenue on the north side. There are three single family residences on the north side of Kettering Avenue. These residences separate the location of incident, between Fifth Street East and the residence at ███ Kettering Avenue.

There is a sheriff's patrol vehicle parked on the north curb and driveway, at the residence of [REDACTED] [REDACTED]. The front of this patrol vehicle is on the west boundary line of the residence of incident. All the doors of this patrol vehicle were in the closed position, the driver's window was in the open position. This sheriff vehicle's roof number is 232. The front (south) of the residence [REDACTED] Kettering Avenue), is bordered by an approximate 3 foot wide sidewalk. This sidewalk parallels Kettering in the front of the residence. There is a [REDACTED] positioned on this residence's west property line next to the sidewalk. The east corner of this property is bordered by an approximate 4 foot high bush type plant.

The driveway to this location is on the east side. There are two vehicles parked on this driveway. The vehicle, furtherest west, is a Buick Regal, License #[REDACTED]. The vehicle parked directly east is a Buick with a License #[REDACTED]. Both of these vehicles are facing the garage. This residence is a two-story stucco, single family dwelling. There is a east/west sidewalk extending from the west edge of the aforementioned driveway. This sidewalk is approximately 20 feet north of the north curb of Kettering. The east/west sidewalk then turns from south to north. This south/north sidewalk gives access to the location's front door which is positioned on the west side of this residence. The porch in front of this door is approximately 6 feet square and is covered by a roof. There is a green carpet mat directly in front of this location's door. There are blood droplets on this mat's south edge and on the sidewalk leading to the front door. There is a wrought iron redwood bench positioned on this porch's west edge. The front door of the location faces south and opens inward. There is a 2 x 5 foot glass window in the wall just east of this front door. This glass window allows visibility into the interior of the residence and partial visibility into the kitchen area. As you enter this front door there is a 4 x 4 foot blue tile floor. This floor had numerous blood droplets upon it. As you continue north from this entry way, it leads to the living room. There were no lights on in this living room.

There is a 6 foot wide glass slider located in the east end of this living room's north wall. This glass slider was covered by a sheer curtain with numerous blood splatters on it. The sliding portion of this glass door opened from the door's west frame eastward. The stationary panel of this glass door was scattered. This sliding door was in the open position. There was a large amount of broken glass between the glass door and the stationery panel. There was a projectile (Evidence Held Item #5) lying amongst this glass.

There is an opening in the north end of the living room's east wall. This opening gave access to the kitchen area. The kitchen had a brown wood style vinyl type floor. The north wall of the

kitchen is approximately 10 feet from east to west. There are windows in the entire width of this north kitchen wall. These windows were uncovered and gave a clear visibility to the location's rear yard. There is a table and four chairs positioned in this kitchen's north dinette area. The kitchen sink and cabinets were positioned against this kitchen's east wall. There is a window directly above this kitchen sink.

There are three knives laying on the kitchen counter, just south of the aforementioned sink. All of these knives were pointed in a southeasterly direction. The knife positioned nearest the kitchen sink had a wooden handle with an overall length of 11 inches and blade length of 6 inches. There were blood smears on the blade of this kitchen knife. The knife positioned south of the aforementioned knife has a wooden handle with an overall length of 9 inches and a blade length of 5 inches. The blade on this knife appears to have three blood droplets on it. The next knife south also has a bloody wooden handle. The overall length of this knife is 13 inches and a blade length of approximately 8 1/2 inches. There were numerous blood droplets on the counter surrounding these knives. The wood face cabinet doors below the counter and below the aforementioned knives had blood droplets and some blood smears on it. There were blood droplets on this kitchen floor, in front of the kitchen sink. There were cabinets against the west wall. This cabinet has a small counter with a microwave oven atop it. In front of this microwave oven were two types of knives, the first of which is a flat butter knife with no cutting edge. The overall length of this knife is 12 inches with a blade length of 7 inches. There is an additional knife lying on the counter, approximately 6 inches east of this knife. This knife has a plastic brown handle with overall length of 14 inches and a blade length of 19 inches. There was blood on the end of the blade of this knife. There were numerous blood droplets on the floor directly below where these two knives were setting on the counter.

After exiting out the front door of the location and the front porch, there is a 10 foot wide side yard area just west of this front porch. There is a 6 foot high wood fence on this property's west boundary which paralells the aforementioned side yard from south to north. There is a [redacted] between this fence and the location's front porch. There is an east/west fence, which is attached to the west exterior wall of this residence and extends westward and attaches to the aforementioned southwest property line fence. There is a gate in the approximate center of this east/west fence. This gate is approximately 10 feet north of the location's front door. The ground from the location's front door to this gate is covered by ivy and other plant vegetation. The gate is in an open position, is henged on the west side, and opens inward. After passing through this gate, which gives access to the location's rear yard, there is a window positioned on the west exterior wall of the residence. This window gives visual access

into the location's living room and kitchen. The kitchen light was on during the time of this incident. The rear yard of the location is enclosed on its east, north, and west boundaries by a 6 foot high grape stake type of fence. The lawn area in the rear yard is approximately 4 to 5 inches high. There is a redwood gazebo positioned in the rear yard approximately 3 feet from the residence's northwest corner. This open redwood gazebo houses a spa. Access to the interior of the gazebo is gained by an opening on the south side of the gazebo. The spa is approximately 15 feet northwest of the rear glass sliding doors, which are positioned in the north exterior wall of the location's living room. The spa is covered by a tan vinyl cover. The top of the spa is approximately 3 feet up from the ground. The east top portion of the spa cover is covered with blood. There is a large butcher knife lying on the east side of this spa cover. The butcher knife has a wooden handle with an overall length of 13 inches and a blade length of 8 inches. There is blood on the handle of this knife and also on the blade. This butcher knife is marked Evidence Held Item #4.

There is a redwood bar type counter attached to the gazebo's east side. This counter is approximately 14 inches in width and 8 feet in length. There are four bar type stools positioned underneath this bar counter. The north end of this bar counter is covered with blood and what appears to be tooth particles. This counter is approximately 43 inches in height. There is a large 6 inch in diameter pool of blood on the cement patio directly below the north end of this wood bar.

The suspect was found lying atop the grass, approximately 3 feet north of the northeast corner of the aforementioned wood bar. The suspect is lying on his right side with his right arm pointing northwest. The suspect's left arm is lying on the ground and parallels his left side. The suspect's knees are bent, with the upper portion of his legs pointing northwest and the bottom portion of his legs pointing southwest. The suspect is face up with the top of his head pointing northeast. The suspect's right and left hands are covered with blood. The suspect's face is also covered with blood. There is an approximate 4 inch gash in the suspect's forehead, just below his hairline. The suspect is wearing a black shirt and black vest, and wearing black Levi type pants and white socks. The bottom of his white socks are saturated in blood. The suspect was rolled over by paramedics after this incident. There is a pencil in the grass, which is marked #3. This pencil marks where Deputy Brian Torsney was standing when assisting deputies arrived. This pencil is approximately 9 feet northwest of the northeast corner of the gazebo and approximately 9 feet northwest of where the suspect is lying. There is a set of keys (Evidence Held Item #1) lying on the grass. There are seven keys attached to a key ring. These keys apparently belong to Deputy Torsney. These keys are approximately 3

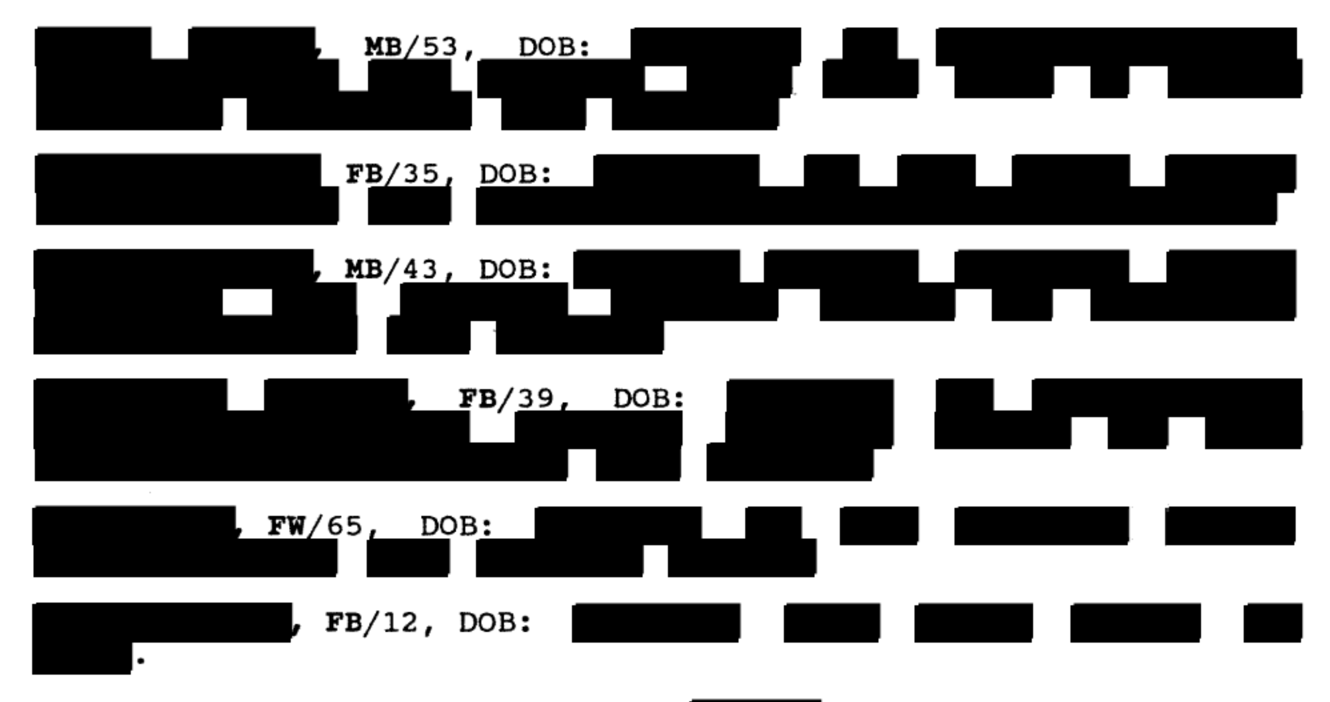
feet west of the northwest corner of the gazebo. These keys will be photographed and returned to the deputy.

There is an expended shell casing (Evidence Held Item #2), lying on the grass. This shell casing is approximately 3 feet northwest of the northwest corner of the gazebo. This shell casing is head stamped, "FC9MM Luger."

Coroner's Investigator [redacted] removed $8.21 from the suspect's left front pocket. Three guitar picks and miscelleneous change adding up to 10 cents were removed from the suspect's right front pants pocket.

The suspect suffered a gunshot wound to the left side of his stomach and an exit wound to his lower back. There's also a gun-shot wound to the right side of the suspect's throat. The suspect may have suffered a gunshot wound to the mouth.

Investigators interviewed the following witnesses shortly after this incident. All of the witnesses were tape recorded, refer to transcripts regarding their statements.



[redacted], MB/53, DOB: [redacted]

[redacted] FB/35, DOB: [redacted]

[redacted], MB/43, DOB: [redacted]

[redacted], FB/39, DOB: [redacted]

[redacted], FW/65, DOB: [redacted]

[redacted], FB/12, DOB: [redacted].

BY: INVESTIGATOR ROBERT SNAPPER [redacted]
INVESTIGATOR JOE HOLMES [redacted]
APPROVED BY: LIEUTENANT NANCY REID
DETECTIVE DIVISION - HOMICIDE BUREAU

ARZATE/WP II